

Docket No.: 07-0432
Bench Date: 08-15-07
Deadline: N/A

MEMORANDUM

TO: The Commission

FROM: Michael L. Wallace, Administrative Law Judge

DATE: August 6, 2007

SUBJECT: Commonwealth Edison Company

Petition to Extend Time to File New Schedule of Rates, and
for Expedited Treatment.

RECOMMENDATION: Grant a stay of August 31, 2007 deadline until further action.

On August 1, 2007, Commonwealth Edison Company, ("ComEd") filed a petition requesting a change from an August 31, 2007 deadline to December 31, 2008 to file a new schedule of rates as required in the final order in Docket 05-0597. ComEd asserts that SB 1592, if enacted into law, will require it to revise a number of its tariffs very quickly. ComEd further believes that to change its Schedule of Rates on August 31st would cause confusion given the additional changes required by SB 1592 shortly thereafter. ComEd seeks to also take into account the changes required by SB 1592 in its new Schedule of Rates, when they are ultimately filed. ComEd claims that the requirements in 05-0597 are intended to clarify and simplify its tariff schedules and, assuming SB 1592 is enacted, an August 31, 2007 filing would create customer confusion and complicate its schedule of rates rather than providing clarity and simplicity.

As of the date of this memo, SB 1592, House Amendments 5-6, has been approved by both houses of the General Assembly but has not been enacted into law. At this point I would recommend to the Commission that it stay the August 31, 2007 deadline for the filing of a new Schedule of Rates pending further action. While the change in dates should be relatively non-controversial, it may be better to stay the deadline now and after the status of SB 1592 is resolved, use this docket to determine when that tariff filing should be required. Given the unusual set of circumstances, I recommend that the Commission vote to stay the deadline of August 31, 2007 set out in Docket 05-0597 until further action is taken in this docket. Given the unsettled nature of the legislative issue, I believe this will provide the Commission with flexibility as it attempts to avoid unnecessary customer confusion regarding ComEd's rates and tariffs.

MLW/lw